Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	
Cellular Service and Other Commercial Mobile Radio Services in the Gulf of Mexico	WT Docket No. 97-112
Amendment of Part 22 of the Commission's Rules to Provide for Filing and Processing of Applications for Unserved Areas in the Cellular Service and to Modify Other Cellular Rules	CC Docket No. 90-6

To: The Commission

COMMENTS OF PRONET INC.

ProNet Inc. ("ProNet"), through its attorneys and pursuant to Section 1.419 of the Commission's Rules, 47 C.F.R. § 1.419, hereby comments on the Commission's Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding.

I. INTRODUCTION AND STATEMENT OF INTEREST

ProNet is one of the largest paging carriers in the nation, operating in all commercial mobile radio service bands and serving over 1.2 million subscribers throughout the country. ProNet also provides wide-area paging services to medical professionals in over a dozen major metropolitan areas, utilizing Part 90 frequencies allocated to the Special Emergency Radio Service ("SERS"). In connection with these commercial and SERS networks, ProNet operates paging facilities in several frequency bands at locations on the coastline delineating the Gulf of Mexico ("Gulf").

In these Comments, ProNet considers licensing of paging facilities at transmitting sites

located in the Gulf. In particular, ProNet addresses: (1) potential demand for Gulf-based paging service; and (2) potential for interference between land-based and Gulf-based co-channel operations. As shown herein, ProNet supports, with qualifications, establishing Gulf-based paging through licensing of offshore transmitters.

II. TWO-WAY SERVICES IN THE GULF WILL GENERATE DEMAND FOR PAGING

The Commission seeks comments on the demand for particular CMRS services in the Gulf. NPRM, at ¶63. ProNet submits that demand for communications services in the Gulf, generally, is a matter of public record. Moreover, demand for paging services is likely to follow demand for other services, particularly cellular and other interconnected two-way mobile voice services.

The general need for two-way voice communications in the Gulf is readily demonstrated. First, two licensees have been providing cellular service in the Gulf for over 10 years, and a major objective of this proceeding is facilitating expansion of these services into currently unserved Gulf areas. NPRM, at ¶26. Second, the NPRM (at ¶61) acknowledges that specialized mobile radio ("SMR") operations are already licensed in the Gulf on a site-by-site basis. Third, responding to showings by Gulf communications operators that Offshore Radio Service ("ORS") spectrum is inadequate to satisfy the oil industry and other Gulf-based users,[1/] the Commission recently created a Gulf service area in the new Wireless Communications Service ("WCS").

Authorizing additional CMRS services in the Gulf (*e.g.*, PCS), as the NPRM proposes, will

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1/ *See Amendment of the Commission's Rules to Establish Part 27, the Wireless Communications Service ("WCS")*, Report and Order in GN Docket No. 96-228, released February 19, 1997, at ¶¶52 and 59.

increase competition, lower prices and generally expand the market for all interconnected two-way mobile voice services in this unique geographic area.

Expansion of existing cellular and SMR services in the Gulf combined with the advent of PCS and WCS will ensure a significant level of demand for paging service. Proliferation of mobile, two-way voice services will increase general awareness about mobile services and thereby increase consumer receptivity to related communication products like paging. Moreover, because paging is a close, albeit imperfect, substitute for two-way voice services,[2/] some two-way users are likely to gravitate from cellular, SMR or PCS to paging for reasons of price, convenience, ease of use and other factors. Most significantly, however, many existing and prospective two-way users will desire paging as an *additional* mobile service-- critical to preserving the battery life of their two-way handsets, which typically provide no more than two to three hours "talk" time and 15 to 20 hours of "standby" (*i.e.*, receive-only) capability.[3/]

III. ABSENT LICENSEE COMMONALITY OR RESTRICTIVE TECHNICAL RULES, INTERFERENCE BETWEEN TERRESTRIAL AND GULF LICENSEES WILL BE PROHIBITIVE

Although ProNet supports the licensing of paging transmitters at locations in the Gulf, such transmitters may cause and/or receive destructive interference as a result of incumbent transmitters located on the coastline. As the Commission recognizes in the NPRM (at ¶46), transmitters in the

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2/ *See Revision of Part 22 and Part 90 of the Commission's Rules to Facilitate Future Development of Paging Systems*, Notice of Proposed Rule Making in WT Docket No. 96-18, 11 FCC Rcd 3108, 3110 (1996); *Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services*, 10 FCC Rcd 8844, 8864 (1995).

3/ The typical paging battery can last at least a month notwithstanding daily continuous usage.

Gulf are located almost exclusively on oil platforms or rigs. The typical oil platform stands at least 100 feet above the surface, *i.e.*, 100 feet above mean seal level ("AMSL"); therefore, paging transmitters will be located a minimum of 100 feet AMSL. Because of the propagation characteristics of paging transmissions over salt water, coverage from these transmitters will tend to exceed coverage of a comparable terrestrial transmitter.

In addition, because of environmental and other concerns, oil companies typically locate their drilling platforms immediately outside the 12 nautical mile border of U.S. territorial waters, *i.e.*, the "Coastal Zone" boundary proposed in the NPRM (at ¶¶29-32). Thus, if paging transmitters are authorized at locations in the Gulf, many transmitters will be located within 13 nautical miles of the coastline. Under this scenario, terrestrial transmitters located along the coast and Gulf transmitters outside the Coastal Zone may be separated by less than 15 miles, which will cause debilitating interference to both licensees. Obviously, locating offshore transmitters inside the proposed Coastal Zone will create even more interference potential *vis-a-vis* terrestrial transmitters.[4/] Therefore, the Commission's proposed division of the Gulf into a Coastal Zone and an Exclusive Zone appears unworkable for paging.

The foregoing demonstrates that preventing interference between terrestrial and Gulf co-channel licensees will be extremely difficult. Clearly, the service and interference contours specified in Section 22.537 of the Commission's Rules will be inadequate to protect adjacent co-channel operations in and around the Gulf. Adopting more stringent limitations on effective radiated power

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[4/] For illustration, Section 22.537(e) and (f) of the Commission's Rules prescribe fixed-radii circles of 20 and 50 miles, respectively, for service and interference contours in the 931 MHz paging band. Even without the additional propagation characteristics across salt water discussed above, it will be impossible to ensure co-channel interference protection in the proposed Coastal Zone.

for terrestrial and Gulf-based transmitters, however, may impair the inland coverage of terrestrial transmitters.[5/] Accordingly, ProNet suggests that the most efficient means to introduce paging services in the Gulf while limiting interference between terrestrial and Gulf-based transmitters is complete commonality between Gulf and terrestrial operations. Thus, where the same entity (or its affiliates) hold licenses for a frequency along the entire coastline delineating the Gulf, that entity (or entities) alone should be eligible for licensing in the Gulf on that particular frequency.[6/]

Where commonality does not exist along the Gulf coastline, the two-zone proposalin the NPRM seems wholly-inappropriate for paging. Under current separation criteria, a geographic area licensee whose authorized area includes coastline bordering the Gulf is entitled to construct facilities with service and interference contours extending at least twenty and fifty miles into the Gulf, respectively. The right to construct facilities with these contours cannot be harmonized either with a Coastal Zone or Exclusive Zone licensee as contemplated by the NPRM. ProNet recommends that the Commission issue a Further Notice of Proposed Rule Making to address a more appropriate boundary for Gulf-based paging transmitters.

[5/] ProNet notes that its commercial and SERS networks provide emergency communications to police, fire and rescue, and medical personnel in regions of Texas and Florida bordering the Gulf. It is imperative that these operations be protected from interference and from any rules impairing existing operations.

[6/] Alternatively, functional commonality could be achieved through executed contractual arrangements (*i.e.*, intercarrier agreements) between all co-channel licensees operating along the Gulf coastline. Further, under this scenario, 929/931 MHz nationwide licensees will be eligible to install transmitters in the Gulf without further Commission action.

IV. CONCLUSION

WHEREFORE, the Commission should modify its proposed rules consistent with the foregoing.

Respectfully submitted,

PRONET INC.

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